

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
Norfolk Division

UNITED STATES OF AMERICA,

v.

ANTONIO ROMYA BEALE,

Defendant.

CRIMINAL ACTION NO.  
2:21cr115

TRANSCRIPT OF PROCEEDINGS  
(Sentencing)

Norfolk, Virginia

March 31, 2022

BEFORE: THE HONORABLE RODERICK C. YOUNG  
United States District Judge

APPEARANCES:

UNITED STATES ATTORNEY'S OFFICE

By: Joseph E. DePadilla

Graham Stolle

Assistant United States Attorney

Counsel for the United States

ANCHOR LEGAL GROUP, PLLC

By: Anthony Michael Gantous

Counsel for the Defendant

1 (Proceedings commenced at 9:19 a.m.)

2 THE CLERK: In the matter of criminal case number  
3 2:21cr115, the United States of America versus Antonio Romya  
4 Beale. The United States is represented by Joe DePadilla,  
5 and defendant is represented by Anthony Gantous.

6 Mr. DePadilla, is the government ready to proceed?

7 MR. DEPADILLA: The government is ready.

8 Good morning, Your Honor.

9 THE COURT: Good morning.

10 THE CLERK: And, Mr. Gantous, is your client ready  
11 to proceed?

12 MR. GANTOUS: The defense is ready.

13 Good morning, Your Honor.

14 THE COURT: Good morning.

15 All right. So we're here this morning for the  
16 sentencing of Antonio Romya Beale, who has entered a plea of  
17 guilty to Count One, conspiracy to distribute and possess  
18 with the intent to distribute 500 grams or more of  
19 methamphetamine, and Count Five, possession of a firearm in  
20 furtherance of a drug trafficking crime, and using and  
21 carrying a firearm during and in relation to the same drug  
22 trafficking crime.

23 Government, do you have any victims? I know it's a  
24 drug trafficking offense, but I also know there was some  
25 crimes of violence that was relevant conduct. Do you have

1 any victims that are here, or that desire to be heard, or  
2 have any objections to anything?

3 MR. DEPADILLA: No, Your Honor. None of the  
4 victims desired to be here in this case.

5 THE COURT: Okay. Very good.

6 All right. So I'll have to first accept the  
7 defendant's plea of guilty. So, first, it's my  
8 understanding that on October 27th, 2021, Mr. Beale appeared  
9 before United States Magistrate Judge Robert Krask, and pled  
10 guilty pursuant to a written plea agreement and a written  
11 statement of facts to Count One, charging conspiracy to  
12 distribute and possess with the intent to distribute  
13 500 grams or more of methamphetamine, and to Count Five,  
14 charging possession of a firearm in furtherance of and using  
15 and carrying a firearm during and in relation to a drug  
16 trafficking crime. Judge Krask accepted the plea of guilty.

17 Mr. Gantous, I know you were present during the  
18 plea hearing. Is there any reason now that I should not  
19 accept your client's plea of guilty?

20 MR. GANTOUS: There is none, Your Honor.

21 THE COURT: All right.

22 All right, Mr. Beale. Would you stand up where you  
23 are?

24 Mr. Beale, is there any reason I should not accept  
25 your plea of guilty at this time?

1 THE DEFENDANT: No, Your Honor.

2 THE COURT: All right. I find in the case of the  
3 United States versus Antonio Beale that the defendant's plea  
4 of guilty to Count One, charging conspiracy to distribute  
5 and possess with the intent to distribute 500 grams or more  
6 of methamphetamine, in violation of Title 21, United States  
7 Code, Section 841(a)(1) and (b)(1)(A), and to Count Five,  
8 charging possession of a firearm in furtherance of and using  
9 and carrying a firearm during and in relation to a drug  
10 trafficking crime, in violation of Title 18, United States  
11 Code, Section 924(c), was knowing and voluntary and is  
12 supported by an independent basis in fact containing each of  
13 the essential elements of the offenses. The plea of guilty  
14 is therefore accepted as to Counts One and Five of the  
15 indictment, and the defendant is adjudged guilty of the  
16 same.

17 All right, Mr. Gantous. Have you had a sufficient  
18 opportunity to review the presentence report with your  
19 client prior to appearing in court today?

20 MR. GANTOUS: I have, Your Honor.

21 THE COURT: All right.

22 Mr. Beale, did you have an opportunity to receive  
23 your presentence report?

24 THE DEFENDANT: Yes, sir.

25 THE COURT: All right. Did you read it and review

1 it?

2 THE DEFENDANT: Yes, sir.

3 THE COURT: Did you discuss it with your lawyer?

4 THE DEFENDANT: Yes, sir.

5 THE COURT: All right. Did you have an opportunity  
6 to ask your lawyer any questions you may have had about the  
7 report?

8 THE DEFENDANT: Yes, sir.

9 THE COURT: All right. Do you need any more time  
10 to discuss anything that's in the report, or anything that  
11 needs to be discussed with him before sentencing, before we  
12 move forward with your sentencing hearing?

13 THE DEFENDANT: No, Your Honor.

14 THE COURT: Okay. Very good.

15 All right, Mr. DePadilla. Are there any additions,  
16 corrections, or objections to the presentence report on your  
17 behalf?

18 MR. DEPADILLA: The government has none, no, Your  
19 Honor.

20 THE COURT: Okay. All right.

21 All right, Mr. Gantous, so let's see. I see that  
22 you have a couple of objections. One is to paragraph 17 of  
23 the presentence report, which finds that there was an  
24 assault that took place, and you claim that your client did  
25 not assault anyone.

1           And then there is a second objection to paragraph  
2 21, where you argue that some text messages are taken out of  
3 context.

4           Do you still maintain those objections,  
5 Mr. Gantous?

6           MR. GANTOUS: We have decided to withdraw those  
7 objections, Your Honor. They do not affect the guidelines  
8 in the least, and they are being withdrawn.

9           THE COURT: Okay. Very good. All right.

10          I assume there is no objection to that,  
11 Mr. DePadilla.

12          MR. DEPADILLA: No objection, Your Honor.

13          THE COURT: All right. Those objections will be  
14 withdrawn.

15          All right, Mr. Gantous. Do you have any objections  
16 to anything else that's in the presentence report as it  
17 relates to the background of your client, the conditions of  
18 supervised release, or anything that's contained therein?

19          MR. GANTOUS: No, Your Honor.

20          THE COURT: Okay. So the probation officer has  
21 determined that there is a mandatory minimum of five years  
22 in this case, I believe, on the methamphetamine count.  
23 However, there is a total offense level of 35, and the  
24 defendant has a criminal history category of VI, which  
25 yields an advisory sentencing guideline range of 262 months

1 to 365 months on the drug count.

2 Mr. DePadilla, are the guidelines correctly  
3 calculated?

4 MR. DEPADILLA: Yes, Your Honor, they are.

5 THE COURT: All right.

6 Mr. Gantous, are the guidelines correctly  
7 calculated?

8 MR. GANTOUS: I believe so, Your Honor, yes.

9 THE COURT: Okay. Very good. All right.

10 All right, Mr. DePadilla. Do you have any evidence  
11 you would like to present this morning on anything?

12 MR. DEPADILLA: Yes, Your Honor, one brief video.  
13 It's to support paragraph 18 in the indictment.

14 THE COURT: Okay.

15 MR. DEPADILLA: With the Court's permission, I have  
16 for the file a disk that has it on it, but I already have it  
17 loaded on the computer.

18 THE COURT: Sure. Give me one second. I want to  
19 turn to paragraph 18 in the presentence report first. Okay.

20 MR. DEPADILLA: Thank you, Your Honor. And I'll  
21 play it now.

22 (The video was played.)

23 THE COURT: Hold on. Okay.

24 MR. DEPADILLA: I would like to move to admit the  
25 video before I play it for you.

1 THE COURT: All right.

2 Mr. Gantous.

3 MR. GANTOUS: I'll object for the record, Your  
4 Honor. The cuts of the video are well-described in the PSR.  
5 They were played. This is probably the third time being  
6 played at this point. We don't dispute that Mr. Beale is a  
7 part of this video. It's unnecessarily prejudicial to  
8 Mr. Beale to play the video for the Court this morning, Your  
9 Honor.

10 THE COURT: All right. Well, Title 18, United  
11 States Code, Section 3661 indicates that no limitation shall  
12 be placed on the information concerning the background,  
13 character, and conduct of a person convicted before a Court,  
14 and the Court may receive and consider that evidence.  
15 Mr. DePadilla has made a proffer that this video supports  
16 the information that's contained in paragraph 18 of the  
17 Presentence Report.

18 Is that correct?

19 MR. DEPADILLA: Yes, Your Honor.

20 THE COURT: So on that basis the objection is  
21 noted, but it will be overruled.

22 MR. GANTOUS: Thank you, Your Honor.

23 THE COURT: All right. Go ahead, Mr. DePadilla.

24 MR. DEPADILLA: Thank you, Your Honor.

25 (The video was played.)



1 MR. DEPADILLA: Thank you, Your Honor.

2 THE COURT: All right. All right. Thank you very  
3 much.

4 All right, Mr. Gantous. Do you have any evidence  
5 you would like to present this morning?

6 MR. GANTOUS: No, Your Honor.

7 THE COURT: Okay. All right.

8 All right, Government. I'll hear argument from  
9 you, and then I'll hear from Mr. Gantous.

10 MR. DEPADILLA: Thank you, Your Honor.

11 Normally, Your Honor, in drug and gun cases where  
12 the defendant pleads guilty before you, is honest with  
13 probation, and does it quickly, I tend to argue for the  
14 bottom of the guideline sentences is what I generally do.  
15 The problem with this defendant is there is a lot more going  
16 on than just drugs and guns, and it's all very bad.

17 First, there was a lot of methamphetamine in this  
18 case, and there were multiple lethal weapons. They had an  
19 arsenal to protect it. The purpose of this defendant's  
20 residence was just to push as much meth onto our streets as  
21 possible. It's the only reason the location existed. And  
22 the guns were there to partially protect the revenue of  
23 those drugs.

24 But what this is, Your Honor, you can see from the  
25 presentence investigation, it's a gang investigation. The

1 FBI got involved because a series of abductions, like the  
2 ones you watched on the screen, were happening in real time  
3 in the different cities, and at that time, that's going to  
4 drum up the FBI. They're going to start looking into it.

5 The gangs in our community, Your Honor, are very  
6 smart, because they prey on one of the more vulnerable  
7 groups in our community, other low-level criminals like the  
8 victim you saw in the video. He was selling meth for the  
9 gang. He did not come up with the money in a timely  
10 fashion. So you are watching the gang attempting to collect  
11 that money. And they do it at first because they can,  
12 right? They can prey on these people. And, second, they  
13 count on law enforcement not really following up, because  
14 these people don't matter, right? That's how they're  
15 viewing it.

16 This defendant has admitted that he was pretty high  
17 up in that gang. He was part of that gang long before this  
18 current criminal conduct. And whether or not he got jumped  
19 out, even if you take that at face value that at some time  
20 while he was in the Department of Corrections he got jumped  
21 out, I think the important point is he has admitted he has  
22 gone right back in, right? He does his time, and he's right  
23 back in the gang.

24 Most of his adult life he's been incarcerated, and  
25 it really had no effect on what he chose to do once he came

1 back in society.

2 Now, I do grant that Mr. Gantous's paper is  
3 correct. This defendant had a horrible childhood. No role  
4 models, no real parents. But there are a lot of people that  
5 come from that background, you know, before this Court, and  
6 they don't go on to become gang leaders who spend their time  
7 selling drugs, abducting and robbing people, and maintaining  
8 arsenals of weapons, right? This is a person with a bad  
9 background, but he has ended on the ultimate end of the  
10 scale.

11 So I can't argue to you to give him the bottom of  
12 the guidelines. His crimes of the present and his crimes in  
13 the past argue for more time than the bottom.

14 What you're looking at here is the Gangster  
15 Disciples in real time, and they are a real problem.

16 And I also credit the defendant when he told  
17 probation that Donte Hampton, who has chosen the name  
18 Messiah in our community, is an extremely dangerous leader.  
19 He's the first one in the indictment that's before Your  
20 Honor, and he has visited misery on a lot of people in this  
21 community. And this presentence report that you're seeing,  
22 Your Honor, is just the tip of the iceberg for what's going  
23 to come out about him.

24 What's really important about that video, Your  
25 Honor, and the reason I played it for you, is because of

1 where the FBI found it. It was on Donte Hampton's phone,  
2 which means he's sending out people in the community,  
3 including this defendant, who is a leader, and he's also  
4 demanding that there is video evidence that these acts are  
5 carried out. I think that's particularly heinous as well.

6 But enough about Hampton. This defendant owns his  
7 own share, right? He is a burden to society, and he owns a  
8 debt to the broken people he has left behind in the wake of  
9 his becoming Messiah's lieutenant when he got out.

10 Looking at one of the most important factors, I  
11 think, Your Honor, is general deterrence. The Gangster  
12 Disciples need to be deterred at this point, right? They  
13 know the FBI is going after them. They know now that the  
14 federal courts are involved, and people are going to be  
15 punished. And if there isn't a harsh enough sentence, then  
16 the abductions are going to continue, the meth is going to  
17 flow, and then more people are going to get hurt.

18 So respectfully, Your Honor, I would ask that you  
19 don't sentence him at the bottom, that Your Honor use your  
20 experience and judgment in this case and sentence him  
21 somewhere within this guideline that's appropriate based off  
22 of all of his conduct.

23 THE COURT: Thank you very much.

24 MR. DEPADILLA: Thank you, Your Honor.

25 THE COURT: All right, Mr. Gantous.

1 MR. GANTOUS: Thank you, Your Honor.

2 Your Honor, there is a reason that Mr. DePadilla  
3 focused on Donte Hampton, Mr. Beale's co-defendant. It's  
4 because he's the true bad actor here. Mr. Beale is  
5 responsible for his actions in this matter, but he was  
6 enticed into those actions by Mr. Hampton to a significant  
7 degree, Your Honor.

8 Starting with Mr. Beale's young childhood, as is  
9 detailed in the presentence report, it was a rough  
10 childhood, Your Honor. His father wasn't a part of his  
11 life. His mother was emotionally and physically abusive.  
12 He was involved -- he was involved in the adolescent  
13 juvenile detention system early on.

14 He got in trouble in the '90s, and a string of  
15 robberies led to 20-plus years in prison, Your Honor. He  
16 was jumped out in prison.

17 Mr. Beale is a story of someone who constantly is  
18 trying to do the right thing. He knows what the right thing  
19 is, but he's made a few bad decisions along the way, Your  
20 Honor, including his actions leading to the string of armed  
21 robberies in the '90s. He did his time for that. And,  
22 importantly, while he was in prison for that state crime  
23 string of robberies, he became active in his Muslim faith.  
24 He was a leader in the prison. He earned his GED, and he  
25 learned some skills, Your Honor. So, he has marketable

1 skills. He has positives that he can use when he's released  
2 from federal prison.

3 So when he gets out of state prison, he works for a  
4 while. He comes into some money that's left through an  
5 inheritance, and he works for a while, Your Honor. He  
6 starts his own company. He has different odd jobs.  
7 Unfortunately, he gets involved with Mr. Hampton, and gets  
8 back into his old life; that's on him. He's accepted  
9 responsibility for it, Judge. But those other good factors  
10 should not be ignored by the Court. They should not be  
11 disregarded by the Court. They are considerable factors  
12 that bear on how Mr. Beale is going to be once released from  
13 federal prison.

14 And the purpose of 3553(a) is to enforce a sentence  
15 sufficient, but not greater than necessary, Your Honor. The  
16 guideline range, even the low end is more than sufficient to  
17 satisfy the ends of justice and what the Court is trying to  
18 do here, Your Honor. Twenty-plus years is more than enough  
19 time for a 46-year old man to be further rehabilitated, to  
20 further realize the error of his ways, and it does send a  
21 message to other members that are involved in this  
22 conspiracy that the Court is serious, and that if you mess  
23 around in this district, you're going away for a long time,  
24 and that's the low end. The low end is beyond sufficient  
25 and not greater than necessary.

1           Also, Your Honor, Mr. Beale, from the character  
2 letters that we submitted -- I am sure the Court has read  
3 them -- he's more of a dynamic person than guns and drugs.  
4 He's helped many women who were in the prostitution arena  
5 get out of that trade. He's helped a lot of people escape  
6 death. He's helped. He's helped people. Mr. Beale  
7 actually does help a lot of people.

8           The video that was played for you, a bad act, Your  
9 Honor, can't deny it, but that's not the entirety of who he  
10 is as a person.

11           He does help people. He has got his GED. He's  
12 started businesses. He's made money legally. He's helped  
13 quite a few.

14           He's recently married, Your Honor. His new wife is  
15 in the courtroom, Ms. Brittany Beale, sitting in the back  
16 there. He does have family. He does have friends. He is  
17 loved by many, Your Honor. Therefore, the sentence at the  
18 low end of the guideline range is sufficient, but not  
19 greater than necessary, to achieve the ends of justice in  
20 this case, and sends a message to the community that the  
21 Court is serious about deterring crimes such as Mr. Beale's.

22           THE COURT: All right. All right. You may remain  
23 at the podium, Mr. Gantous, and I'll ask your client to come  
24 forward.

25           MR. GANTOUS: And he does have a brief unsworn

1 statement for the Court.

2 THE COURT: Sure.

3 All right, Mr. Beale. You don't have to, but is  
4 there anything you would like to say before I pronounce  
5 sentence?

6 THE DEFENDANT: Yes. I wrote a letter that I  
7 wanted to address to the Court, namely to you, and it reads  
8 as:

9 Dear Honorable Judge Young, I stand before you this  
10 day in all humility, having prayed to Allah that this Court  
11 gives ear and understands as well as consider my remorse,  
12 the depths of my regrets, my pains, and the sorrow I feel in  
13 having let down myself, my family, my peers, my loved ones,  
14 as well as those that depend on me.

15 I stand before you in acceptance of full  
16 responsibility of my actions. Your Honor, it's like  
17 deja vu, because over 30 years ago I was a 17-year old  
18 adolescent in trouble with the law, and pled guilty and  
19 receiving over 40 years, and ultimately did a life sentence  
20 erroneously, as I was misclassified by the DOC, and ended up  
21 doing more time than what the Judge intended for me to do.  
22 I mention this in hopes that the Court will take this into  
23 consideration in delivering my sentence, that my criminal  
24 history is in fact over 30 years ago, where pursuant to the  
25 book of variance, it's called that such criminal history and



1 sentence should be mitigated by the impetuousness and  
2 recklessness of youth.

3 Today I beseech the Court to please reflect on my  
4 acceptance of responsibility, as explained in my PSI, which  
5 is on page 9, paragraph 22, and take into consideration the  
6 special characteristics of all of my actions, not just the  
7 bad actions, which the prosecutor has, um, very well so put  
8 and described me at my worst, but take into consideration my  
9 actions that are more focused on the good that is in me.

10 Mr. Honorable Judge Young, I was told that you are  
11 a fair judge, a wise judge, and also a strict judge, and so  
12 I ask you by way of --

13 What is it, 3535?

14 MR. GANTOUS: 3553.

15 THE DEFENDANT: -- 3553, that my attorney had  
16 mentioned, that the Sentencing Reform Act, that the  
17 retribution of my punishment be truly just, and that my  
18 sentence truly give me the rehabilitation in the most  
19 effective manner.

20 Your Honor, it was the same peer pressures and  
21 coercions that influenced my behavior when I was 17 years  
22 old, only to find me three decades later leaving me under  
23 duress, and this is the rehabilitation that I am need of,  
24 and the rehabilitation that I need from.

25 I was released from prison in 2018, and against all

1 odds, having been incarcerated for 26 years, I gained  
2 meaningful employment my first week out, Your Honor. I was  
3 left over \$60,000 by way of a beneficiary, and despite  
4 having money and being financially stable, I still worked  
5 two to three jobs. I was active in the community functions,  
6 being an active member in the community, attending PTA  
7 meetings. I helped coach special needs aerobics. I  
8 maintained weekly religious meetings, teaching Islamic  
9 classes in the local Masjid Ash-Shura in Norfolk, Virginia.  
10 I supported several fundraisers designed to help communities  
11 feed the hungry and help the homeless.

12 I was given the opportunity to go to Richmond,  
13 where I met with Ms. Wendy Brown, getting her cleric's  
14 approval for the paid position as an Imam for the Muslim  
15 Chaplain Services of Virginia while volunteering as a  
16 religious and spiritual leader to help and assist and offer  
17 guidance to incarcerated Muslims.

18 I volunteered at the request of Wendy Brown, and  
19 asked her if I could ever go into the DOC, where I went into  
20 St. Brides and other institutions as Indian Creek, as a  
21 guest speaker to encourage and beget other returning  
22 citizens with job opportunities, transportation means, and  
23 other support which helps inmates transition successfully  
24 back into society.

25 In communities, I've offered gang members a way out

1 from their life of crime by offering them legit jobs,  
2 housing assistance, and means to escape drugs, and all the  
3 while looking for my own escape from the temptation and evil  
4 and life of crime that came knocking on my front door.

5 I maintained employment with several health  
6 companies, working as a direct support professional, where I  
7 rendered support to those with mental disabilities such as  
8 Asperger's Syndrome, autism, and the like, and proved to be  
9 an asset for all of my clients' progress. I even obtained  
10 DBIDS, and accessed the Fort Eustis military base despite my  
11 background. I gained employment as a healthcare aid.

12 And, again, in reading the book, this shows my  
13 exceptional drive for rehabilitation efforts on my part.  
14 And all of this, I did not agree or set out to become  
15 involved with selling drugs or to be entangled in any drug  
16 conspiracy, and in truth and under oath, it came looking for  
17 me.

18 THE COURT: I am going to ask you to slow down just  
19 a little bit, so she can keep up and type, okay?

20 THE DEFENDANT: Okay.

21 THE COURT: But go ahead.

22 THE DEFENDANT: In short and in closing, Your  
23 Honor, I am a family man, recently married to my wife. We  
24 lost our unborn child due to the stress and hardships of the  
25 prosecution and this incarceration. My mother-in-law is

1 terminally ill. Without being home, she has no caretaker.  
2 Things have become financially and physically burdensome for  
3 my family, and I accept this being apart and results  
4 stemming from my own misconduct and falterance(SIC) in my  
5 own right decision making, but I am here today at the mercy  
6 of the Court asking and beseeching for leniency on my  
7 sentence, and help for my current and future rehabilitation.

8 Thank you, Your Honor.

9 THE COURT: All right. So thank you very much,  
10 Mr. Beale.

11 All right. So I've reviewed the presentence report  
12 in this case and the attached sentencing guidelines, which  
13 are advisory. I've also considered the government's  
14 position on sentencing, the defendant's position on  
15 sentencing. I've considered the evidence that's been  
16 proffered this morning by way of a video that's been played  
17 by the government. I've considered the defendant's  
18 evidence, which are the letters of support that I reviewed  
19 before I took the bench. I have considered the argument of  
20 counsel, and I've considered Mr. Beale's allocution.

21 I've also reviewed the sentencing factors outlined  
22 in Title 18, United States Code, Section 3553(a), and I've  
23 considered all of those factors.

24 Specifically, I've considered the nature,  
25 circumstances, and seriousness of this offense. The

1 presentence report reflects that Mr. Beale conspired with  
2 Mandi Green, Donte Hampton, and others to distribute and  
3 possess with the intent to distribute 500 grams or more of  
4 methamphetamine and less than 50 kilograms of marijuana,  
5 which is a significant amount of controlled substances. As  
6 part of the conspiracy the defendant possessed four firearms  
7 in furtherance of the drug trafficking enterprise.

8           Additionally, as pointed out in the conduct, by way  
9 of relevant conduct, during the conspiracy Mr. Beale  
10 participated in the abduction of an individual who was zip  
11 tied, driven to another location, pistol whipped by  
12 Mr. Beale, held at gunpoint by another co-conspirator, and  
13 then was sodomized with a broom.

14           The PSR also reflects that on June 9th, 2021, that  
15 Mr. Beale and another co-conspirator in an effort to settle  
16 a drug debt made victims, made at least two victims remove  
17 their clothing, get on their knees, and then Mr. Beale began  
18 to pistol whip one of the victims, which caused the gun that  
19 he was pistol whipping the victim with to discharge. As  
20 Mr. Beale was pistol whipping one of the victims, a  
21 co-conspirator began kicking and stomping the other naked  
22 victim.

23           Also by way of relevant conduct that's pointed out  
24 in the presentence report that on April 21st, 2021, there  
25 are text messages which the government attributes to the

1 defendant, wherein it is alleged that Mr. Beale threatens to  
2 kill an individual named Angel if Angel does not pay  
3 Mr. Beale a drug debt within 48 hours.

4           The Court has also considered the history and  
5 characteristics of Mr. Beale. Mr. Beale did have a rough  
6 and challenging childhood. His father was incarcerated  
7 during most of Mr. Beale's childhood. He reports that his  
8 mother was addicted to controlled substances, and that he  
9 suffered physical and mental abuse during his childhood at  
10 the hands of his mother. During his teenage years,  
11 Mr. Beale was homeless and slept in cars and in abandoned  
12 buildings.

13           The defendant's first conviction occurred when he  
14 was 14 years old. His adult convictions include robbery,  
15 grand larceny auto, and possession of a sawed-off shotgun.  
16 Mr. Beale also committed the instant offense while serving a  
17 period of state probation.

18           Finally, there is evidence in the presentence  
19 report and by way of the video that Mr. Beale has been  
20 involved with the Gangster Disciples, and has held a  
21 leadership position within that organization.

22           The Court also considers the need for the sentence  
23 imposed to promote respect for the law, to provide just  
24 punishment for the offenses, the need to afford adequate  
25 deterrence to criminal conduct, the need to protect the

1 public from the further crimes of the defendant, the need to  
2 provide the defendant with educational and vocational  
3 training, medical care, and other correctional treatment.

4 The Court has considered the advisory sentencing  
5 guideline range. I've also considered the kinds of  
6 sentences available, the need to avoid unwarranted  
7 disparities in sentencings. I have considered any pertinent  
8 policy statements, and the need for restitution for any  
9 victims, and there has not been a request for restitution.

10 Therefore, it is the judgment of the Court that the  
11 defendant, Antonio Beale, is hereby committed to the custody  
12 of the United States Bureau of Prisons to be imprisoned for  
13 a term of 300 months on Count One and for a term of  
14 60 months consecutive on Count Five, for a total term of  
15 imprisonment of 360 months. The Court finds that this  
16 sentence is sufficient, but not greater than necessary,  
17 pursuant to the factors enumerated in Title 18, United  
18 States Code, Section 3553(a).

19 The defendant shall be given credit for any time  
20 served, pursuant to Title 18, United States Code, Section  
21 3585.

22 Mr. Beale, upon your release from incarceration,  
23 you shall be placed on supervised release for a term of five  
24 years on Count One, and five years on Count Five to be  
25 served concurrently, for a total term of supervised release

1 of five years.

2           Within 72 hours of your release from the custody of  
3 the Bureau of Prisons, you shall report to the U.S.  
4 Probation Office in the district in which you have been  
5 released.

6           While on supervised release, you shall comply with  
7 all of the mandatory terms of supervised release as outlined  
8 in Title 18, United States Code, Section 3583(d), and which  
9 are listed in your presentence report. Namely, you shall  
10 not commit another federal, state, or local crime. You  
11 shall not unlawfully possess a controlled substance. You  
12 shall refrain from any unlawful use of a controlled  
13 substance, and shall submit to one drug test within 15 days  
14 of release on supervision and at least two periodic drug  
15 tests thereafter, as determined by the Court. You shall not  
16 possess a firearm, ammunition, destructive device, or any  
17 other dangerous weapon.

18           While on supervised release, you shall also comply  
19 with all of the standard conditions of supervised release  
20 that have been adopted by this Court and are outlined in the  
21 presentence report.

22           While on supervised release, you shall also comply  
23 with the following special additional conditions. You shall  
24 obtain a college degree or vocational skill during your  
25 period of supervision, if not employed full-time. You shall



1 have no contact with any gang member without first obtaining  
2 permission from the probation officer.

3 The Court has considered your negative net worth  
4 and lack of liquid assets, your lifestyle and financial  
5 needs as reflected in the presentence report. I've also  
6 considered your earning potential and the lack of dependents  
7 relying on you for support. The Court finds that you are  
8 not capable of paying a fine, but you are capable of paying  
9 a special assessment of \$100 per count of conviction for a  
10 total of \$200. No fine or restitution is imposed in this  
11 case.

12 Payment of the criminal monetary penalties shall be  
13 as follows. The criminal monetary penalties shall be due in  
14 full immediately. Any balance remaining unpaid on the  
15 special assessment at the inception of supervision shall be  
16 paid by the defendant in installments of not less than \$25  
17 per month until paid in full. Said payments shall commence  
18 60 days after the defendant's supervision begins. Payment  
19 of criminal monetary penalties shall be due during the  
20 period of imprisonment. All criminal monetary penalty  
21 payments are to be made to the Clerk, United States District  
22 Court, except those payments made through the Bureau of  
23 Prisons' Inmate Financial Responsibility Program.

24 You shall notify the United States Attorney's  
25 Office for this district within 30 days of any change of

1 name, residence, or mailing address until all fines,  
2 restitution, costs, and special assessments imposed by this  
3 judgment are paid in full.

4 With respect to recommendations, the Court  
5 recommends that you receive educational and vocational  
6 training while incarcerated. The presentence report  
7 indicates that you do not have a drug problem or any mental  
8 health issues. However, the Court recommends that you  
9 receive an evaluation for the need for substance abuse  
10 treatment. And given the difficulty that you had throughout  
11 your childhood, the Court recommends an evaluation for  
12 mental health treatment while incarcerated. The Court also  
13 recommends that you be housed as close to your family as  
14 possible, although ultimately it's up to the Bureau of  
15 Prisons to decide where you will ultimately be housed.

16 Mr. Beale, you pled guilty pursuant to a plea  
17 agreement, and you waived almost every right of appeal in  
18 that plea agreement, and by me saying the following, I am  
19 not suggesting that there is a reason for appeal or a right  
20 to appeal, but if for any reason you desire to file an  
21 appeal, you must file a written notice of appeal within  
22 14 days of today's date. If you don't file such a notice in  
23 that way and in that time, the Court of Appeals may presume  
24 that you have waived your right to appeal.

25 Do you understand that?

1 THE DEFENDANT: Yes, sir.

2 THE COURT: Okay.

3 Mr. Gantous, your representation of Mr. Beale shall  
4 extend through the filing of a notice of appeal, should  
5 there be a request for the same.

6 All right. You all may return to your seat.

7 Mr. DePadilla, is there anything else we need to  
8 address by way of other counts or other indictments?

9 MR. DEPADILLA: Pursuant to the plea agreement,  
10 Your Honor, the government moves to dismiss all remaining  
11 counts.

12 THE COURT: All right. That motion will be  
13 granted.

14 MR. DEPADILLA: Thank you, Your Honor.

15 THE COURT: All right.

16 So, I'll ask you all to remain standing.

17 So, Mr. Beale, I will tell you when I read the  
18 information in the presentence report, some of which I  
19 detailed, some of which I have not, I believe based on all  
20 of that, and based on the video that I saw that you deserved  
21 the high end of the guidelines, but I did not give you the  
22 high end of the guidelines, because you seem to have  
23 accepted responsibility for your actions, and you did so  
24 quickly, so I balanced that against the horrible nature of  
25 what I read in that presentence report, and that's why I did

1 not sentence you to the high end of the guidelines, but your  
2 conduct does deserve a significant sentence, and that's why  
3 you have been given a significant sentence.

4 So, Mr. Beale, I do wish you well in the service of  
5 your sentence. I hope that you will turn your life and head  
6 in a different direction, and I hope that you will no longer  
7 be involved with the Gangster Disciples or any other  
8 organized crime entity, and that once you are released you  
9 will lead a productive life.

10 The parties have submitted a Consent Order of  
11 Forfeiture, which I will enter at this time.

12 All right, Mr. DePadilla. Is there anything else  
13 we need to address in this case?

14 MR. DEPADILLA: Not at this time, Your Honor, thank  
15 you.

16 THE COURT: All right.

17 Mr. Gantous, anything else from your perspective  
18 that we need to address?

19 MR. GANTOUS: Nothing here, Your Honor. Thank you.

20 THE COURT: All right. Very good.

21 All right. Mr. Beale is in your custody, Marshals.

22 Ms. Jones, I'll take a brief recess between now and  
23 the next case.

24 THE CLERK: All right, Your Honor.

25 (Proceedings concluded at 9:57 a.m.)

CERTIFICATION

I certify that the foregoing is a correct transcript  
from the record of proceedings in the above-entitled matter.

\_\_\_\_\_/s/\_\_\_\_\_  
\_\_\_\_\_

Jill H. Trail

January 25, 2023